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November 3, 2016

City of Terre Haute
City Legal Department
ATTN. Molly Leeks
17 Harding Avenue, 2nd Floor
Terre Haute, IN 47807

RE: Harvest Holdings LLC Petition for Rezone Real Property - 1300 State Road 46,
Terre Haute, IN 47803 (the "Property") (Special Ordinance No. 39)

Dear Sir or Madam:

Crown Castle Towers 05 LLC ("Crown Castle") hereby submits this letter of remonstrance with respect to the above-referenced Petition to Rezone Real Property ("Petition") that has been recently submitted to the City of Terre Haute ("City") by Harvest Holdings LLC ("Harvest Holdings"). It is Crown Castle's understanding that if enacted, Special Ordinance No. 39 would rezone the Property from its current status as O1 Agricultural District ("O1") to C2 Community Commercial District ("C2"). Crown Castle holds a perpetual easement on a portion of the Property granted by the prior owner of the Property, St. Charles Tower, Inc. The grant of perpetual easement by its own terms, runs with the land and all subsequent owners of the easement area are subject to its terms. Section 11 of the Grant of Easement, dated December 21, 2011, provides that

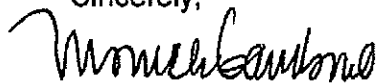
Grantor shall not do or permit anything that will interfere with or negate any special use permit or approval pertaining to the Easement Areas or cause any wireless communications facilities on the Easement Areas to be in nonconformance with applicable local, state or federal laws ...Grantor shall not initiate ...any change in the zoning of Grantor's property ... that would prevent or limit Crown from using the Easement Areas for the uses intended by Crown.

The property subject to the perpetual easement contains a communications tower that is owned and operated by Crown Castle. The existing communications tower was approved by the City Board of Zoning Appeals on September 4, 2013. Crown Castle is currently operating the tower in compliance with applicable local zoning rules. If the zoning of the Property is changed to C2, the required setbacks for the shelters and equipment at this tower will be increased to 11' from the property line. As a result, the facility will become legal non-conforming because at least one shelter building at the site is only 3'2" away from the property line. Moreover, should Crown Castle need to revise its facility and seek zoning review in the future, it could be required to bring the facility into conformance with the C2 setback requirements which might not be possible given the limitations on the size of the easement area. As a result, the practical effect of rezoning the Property will be to limit the opportunity for Crown Castle to expand its business and service to the community.

Crown Castle is in the process of notifying Harvest Holdings of its breach of the grant of Easement. Notwithstanding the requirements of the Grant of Easement, however, Crown Castle hereby opposes the enactment of Ordinance No. 39 because such enactment will negatively impact Crown Castle's vested right to operate the tower facility located on the Property and to grow and expand its business.

Please feel free to direct any questions that you may have to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Monica Gambino", written in a cursive style.

Monica Gambino

VP, Legal

cc: Mona Couch